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November 8, 2004

Jonathan G. Katz, Secretary U.S. Securities and Exchange Commission 450 Fifth Street, N.W. Washington, D.C. 20549-0609

Re: Amendment to Rule 10304 of the

NASD Code of Arbitration Procedures

File No.: SR-NASD-2003-101

Dear Secretary Katz:

I am writing to you as an active member and director of Public Investors Arbitration Bar Association.

It is my understanding that requested modifications to the NASD Eligibility Rule have been pending before the Securities and Exchange Commission for many months. As an attorney who primarily represents public investors against broker-dealers, I am very anxious to have these modifications approved and would therefore appreciate any assistance you can offer to have this matter resolved.

Your prompt and courteous assistance in this regard is very much appreciated.

Sincerely,

James D. Keeney

JAMES D. KEENEY, P.A.

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